

**Regular Minutes  
City Council/Redevelopment Agency  
City of Huntington Beach**

Monday, December 6, 2004  
6:00 P.M. - Council Chambers  
Civic Center, 2000 Main Street  
Huntington Beach, California 92648

A videotape of this meeting is  
on file in the Office of the City Clerk.

The 5:00 p.m. portion of the meeting was recessed by Deputy City Clerk Kelly Mandic to 6:00 p.m. in the Council Chambers due to a lack of quorum.

**Call to Order**

Mayor Green called the regular meetings of the City Council/Redevelopment Agency of the City of Huntington Beach to order at 6:05 p.m. in the Council Chambers.

**City Council/Redevelopment Agency Meeting Roll Call**

Present: Sullivan, Coerper, Hardy, Green, Boardman, Cook, Winchell  
Absent: None

**Pledge of Allegiance/Flag Salute** - Presentation of the colors made by the Huntington Beach Fire and Police Departments' Honor Guard

**Invocation** – Led by Reverend Bruce Templeton, First Christian Church of Huntington Beach

**(City Council) Councilmember Sullivan Requested Dedication of Meeting in Honor of William James and Bob Barker** (120.85)

Councilmember Dave Sullivan requested that the meeting be dedicated to the memory of two local men who recently passed away: William James and Bob Barker.

**The City Clerk Announced a Late Communication**

Pursuant to the Brown (Open Meetings) Act, City Clerk Joan L. Flynn announced a Late Communication regarding an agenda item that had been received by her office following distribution of the agenda packet:

Communication dated 12/2/04 submitted by the County of Orange Registrar of Voters transmitting via U. S. Mail the original version of the Election Certificate included in the agenda packet as a FAX version. Also transmitted by the Registrar is the document titled Orange County Statement of Votes citing the following Huntington Beach Statistics: Total number of registered voters: 125,861; Total number of ballots cast: 92,459 and percentage of turnout of voters: 73.5%.

**Public Comments**

**Dick Harlow** congratulated newly elected Councilmembers and offered best wishes to those leaving the dais. Mr. Harlow spoke regarding the agenda item which addresses a limit to building floor area ratio (FAR) for low density residential (RL) districts, asking the City Council to study the issues in depth before crafting an ordinance.

**(City Council) Adopted Resolution No. 2004-94 Reciting the Facts of the November 2, 2004 General Municipal Election and Certifying to the City Council the Canvass of Election by the Registrar of Voters - (620.20)**

The City Council considered a communication from the City Clerk transmitting **Resolution No. 2004-94** - Certification of Canvass of Election by the Registrar of Voters.

The Registrar also transmitted the following statistics for Huntington Beach: Total number of registered voters: 125,861; Total number of ballots cast: 92,459 and Percentage of turnout of voters: 73.5%.

A motion was made by Hardy, second Coerper to adopt **Resolution No. 2004-94- "A Resolution of the City Council of the City of Huntington Beach Reciting the Fact of the General Municipal Election Held on November 2, 2004 Consolidated with the County of Orange, and Declaring the Results Thereof and such other Matters as Provided by Law."** The motion carried by the following roll call vote:

AYES: Sullivan, Coerper, Hardy, Green, Boardman, Cook, Winchell

NOES: None

ABSENT: None

City Clerk Joan L. Flynn distributed Certificates of Election to all newly elected officials: Councilmembers Debbie Cook, Keith Bohr and Don Hansen, City Treasurer Shari Freidenrich, and City Clerk Joan L. Flynn.

**(City Council) Approved Direction to the Planning Director to Return to Council at a Date Uncertain with a Study of Limits to the Building Floor Area Ratio (FAR) for Low Density Residential (RL) Districts for Single-Family Homes (120.90)**

The City Council considered a communication from Councilmember Grace Winchell transmitting the following **Statement of Issue**: The city has experienced an increase in the number of additions/expansions to existing single-family residences in existing, established residential neighborhoods. Some of these additions have included additional stories resulting in structures that are out of character and scale for the neighborhood.

In order to address this issue, it is recommended that a maximum floor area ratio (FAR) be included as a development standard in the RL districts only. This would limit the size and bulk of residential structures proportionate to the size of the lot. Such an ordinance would not affect existing homes that may not comply because there is existing language in the zoning code that addresses non-conforming structures. It will also not affect single-family homes in specific plan areas.

Councilmember Grace Winchell gave an oral report detailing her reasons for bringing the item before Council.

Planning Director Howard Zelefsky responded to Council inquiries regarding the variance process, restrictions currently in place, willingness to meet with residents interested in offering input, and research of other cities' ordinances that address this issue.

A motion was made by Winchell, second Cook to direct staff to study the issue and submit a report to the City Council at a date uncertain. The motion carried by the following roll call vote:

AYES: Sullivan, Coerper, Hardy, Green, Boardman, Cook, Winchell

NOES: None

ABSENT: None

**(City Council) State of the City Address Delivered by Outgoing Mayor Cathy Green (160.40)**

Outgoing Mayor Cathy Green gave a summary of events during the past year including: The recruitment and hiring of new City Administrator, Dr. Penelope Culbreth-Graft; the Assistant City Administrator William Workman's recruitment by the City of Redondo Beach; the appointment of City Clerk Joan L. Flynn, who was subsequently elected; the approval of a balanced two-year budget without tax increases, reduction of services to the public, or layoffs; a reorganization of the Treasurer's Department allowing some business transactions to be completed over the phone; and the posting of agenda backup information on the City website.

Mayor Green further noted recognition given to the City including the Life Safety Achievement Award for Fire Safety, a Class 1 rating received by the Fire Department, and recognition as the "Best City in which to Live" by the Orange County Register. Other notable events mentioned included: Beach attendance reaching the 7.5 million mark with over 2,000 rescues; the opening of the Oakview Skate Park and the Sports Complex; exhibits at the Art Center, increased circulation for the Libraries; progress with development projects including: Pacific City, The Strand, Bella Terra, the Downtown Business Improvement District (BID); and the Verizon Fiber Optics project.

Mayor Green detailed events such as the reinstatement of the invocation at Council meetings, Memorial Day and Veterans' Day Services, flagpoles donated for installation at the Pier, Community Emergency Response Team (CERT) efforts with the oil gusher, Huntington Beach High School Marching Band appearance on the Sharon Osborne Show, and the New York Fire Department presentation to the Huntington Beach Fire Department.

The Mayor thanked the Interfaith Council, the American Legions, Veterans of Foreign Wars, the Jewish War Veterans, the Eagle Scouts, downtown businesses who assisted with a fire, Municipal Employees Association (MEA) volunteers for assisting with the 4<sup>th</sup> of July Parade, and citizens who helped with the injury accident of a local police officer. Lastly, she introduced her husband and her son and thanked them for all their support.

**(City Council) Presentations Made by Mayor Green (160.40)**

Mayor Cathy Green presented artwork created and signed by Dean Torrance depicting Surf City to officials she served with as Mayor.

**(City Council) City Administrator Made Remarks to Outgoing Councilmember Boardman (160.40)**

Dr. Penelope Culbreth-Graft commented based on Department Heads' remarks about Councilmember Boardman's efforts pertaining to environmental and infrastructure issues as well as her personal values. Dr. Culbreth-Graft presented her with a token of appreciation.

**(City Council) Outgoing Councilmember Boardman Addressed Council, Staff, and Citizens**  
(160.40)

Outgoing Councilmember Boardman thanked the citizens of the Huntington Beach for the opportunity to be of service. She noted some memorable issues including the AES plant reconditioning, declining revenues in the City, and the resulting budget cuts. She addressed other issues relative to: the environment including Proposition 50 and the Ascon-Nesi waste site cleanup; affordable housing; mobile home park conversions; local business development; beach improvements; and the Moment of Silence.

Councilmember Boardman informed everyone of the upcoming schedule for performances at the Art Center, highly recommended attendance, and thanked Council, staff, Department Heads, citizens who have served on Boards and Commissions, and her husband for their support.

**(City Council) Presentations from the Community to Outgoing Councilmember Boardman**  
(160.40)

The following members of the community made presentations to the outgoing Councilmember Boardman: Ed Kerins, Huntington Beach Tomorrow; Bob Biddle, State Assemblyman Tom Harman's Office; Steve Gullage, Golden State Mobilhome Owners League (GSMOL); Bob Hidusky, representing the Municipal Employees Association (MEA); Gerald Chapman, President of Bolsa Chica Land Trust; Councilmember Debbie Cook; and Topper Horack, who presented a PowerPoint tribute.

**(City Council) Outgoing Councilmember Winchell addressed Council, Staff, and Citizens**  
(160.40)

Councilmember Grace Winchell made parting remarks on her short tenure, thanking the City Council, staff, and the residents of Huntington Beach.

**(City Council) Oath of Office Administered by Mayor Green to Newly Elected City Clerk**  
(620.60)

Mayor Green administered the Oath of Office to Joan L. Flynn, newly elected City Clerk.

Mayor Green Invited Incoming Councilmembers Cook, Bohr, and Hansen to the Dais

**(City Council) Oath of Office Administered by City Clerk to Newly Elected Councilmembers**  
(620.60)

City Clerk Joan L. Flynn administered the Oath of Office to the newly elected officers as follows:

**Members of the City Council**

Debbie Cook  
Keith Bohr  
Don Hansen

**City Treasurer**  
Shari Freidenrich

**City Council/Redevelopment Agency Meeting Roll Call**

Present: Hansen, Coerper, Sullivan, Hardy, Green, Bohr, Cook  
Absent: None

**(City Council) City Clerk Flynn Presided and Conducted the Election of a Mayor for Ensuing Year (620.30)**

City Clerk Joan L. Flynn presided and called for a motion to elect a Mayor for the City of Huntington Beach.

A motion was made Cook, second Bohr to elect Mayor Pro Tem Hardy as Mayor by acclamation.

**Oath of Office Administered to New Mayor Jill Hardy by City Clerk Joan L. Flynn (620.30)**

City Clerk Joan L. Flynn administered the Oath to incoming Mayor Jill Hardy.

**(City Council) Outgoing Mayor Green presented a Gavel to Incoming Mayor Hardy (160.40)**

Councilmember Green presented a gavel to the new Mayor, Jill Hardy.

**(City Council) Incoming Mayor Hardy Presented “Ultimate Challenge” Sculpture to Outgoing Mayor Green (160.40)**

Mayor Jill Hardy presented the “Ultimate Challenge” surfer sculpture to Councilmember Green.

**(City Council) Presentations from the Community to outgoing Mayor Green (160.40)**

The following members of the community made presentations to the outgoing Mayor Green: Former Councilmember, Mayor and spouse Peter Green; Supervisor Jim Silva; Eagle Scout from Troop 558, Timothy DeFresne; Tom Livengood of the “Green Team”; Natalie Kotsch, Surfing Museum; Pat Davis, Businessperson; Dale Dunn, President of Huntington Beach Council on Aging; and Interfaith Council Minister, Reverend Peggy Price.

**(City Council) Presentations from the Community to New Mayor Hardy (160.40)**

The following members of the community made presentations to new Mayor Hardy: Elaine Murphy, Bolsa Chica Land Trust, presented an Honorary Grant Deed of one square foot; Jenny Troutman, Mona Khaled, Whitney Black, and Michelle Hennes, all Huntington Beach High School students of teacher, Jill Hardy spoke and presented flowers.

**(City Council) New Mayor Presides and Calls for Election of Mayor Pro Tempore for Ensuing Year (620.30)**

Mayor Hardy called for motion to elect Mayor Pro Tempore.

A motion was made by Coerper, second Hansen to elect Councilmember Sullivan as Mayor Pro Tempore by acclamation.

**(City Council) Comments Made by Newly Elected Mayor Jill Hardy (160.40)**

Mayor Jill Hardy spoke about city development and renewal and thanked outgoing Councilmembers Boardman and Winchell, newly elected Councilmembers Bohr and Hansen, her fiancé, family members, Huntington Beach High School staff and students, seated Councilmembers, City staff and voters.

**(City Council) Statements by Newly Elected Councilmembers, City Clerk and City Treasurer (160.40)**

Councilmember Cook thanked Connie Boardman, Huntington Beach residents, Ralph Bauer, and husband John Fisher. She encouraged citizens to make personal contact with Councilmembers.

Councilmember Bohr thanked the voters, outgoing Councilmembers Boardman and Winchell, his parents, grandmother, campaign staff and supporters, and senior models.

Councilmember Hansen thanked the residents of Huntington Beach and his wife, Sara.

City Treasurer Shari Freidenrich conveyed her appreciation to her husband, citizens, Councilmembers, Department Heads, and City employees.

City Clerk Joan L. Flynn thanked Bill Workman, her campaign committee, the City Council, voters, her family, and the City Clerk staff.

**Recess - Reception in Room B-8**

Mayor Hardy recessed to a reception in Room B-8

**Reconvened in Council Chambers – Roll Call**

Present: Hansen, Coerper, Sullivan, Hardy, Green, Bohr, Cook  
Absent: None

**The City Clerk Announced a Late Communication**

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**Public Comments**

**Bob Hidusky**, Vice President of Huntington Beach Municipal Employees Association (MEA), thanked outgoing Mayor Cathy Green and congratulated the newly elected officials.

**Gerald Chapman**, resident of Ellis-Goldenwest quarter section, spoke regarding the Specific Plan. Mr. Chapman distributed photos of grading and spoke relative to an alleged permit issued in error, an alleged lack of permitting for the "cut and fill" work being done, and the resulting work stoppage.

**Clint Orr** voiced concerns over construction of the Surf Museum and its planned location within a commercial development. Mr. Orr made some alternate recommendations for the project's development, including funding through a CD he recorded, "I Need a (Root) Beer."

**Steve Stafford** extended thanks to the new members of City Council and informed Council of his concerns regarding his housing tract and methane barriers.

**Tim Geddes**, Vice Chairman of Finance Board, relayed greetings from his chair, Charles Falzon, congratulated all the newly elected officials, and thanked the outgoing members of Council.

**Nancy Donaven**, member of Finance Board, informed Council of her impending departure and commended Finance Board Chair Falzon for his work.

**Young Lee** requested Council consider a ban of cigarette smoking in City parks. Mr. Lee informed Council that the City of Laguna Hills is in the process of instating such a ban.

**Steve Ray**, incoming Chair of the Planning Commission, welcomed newly elected Councilmembers Bohr and Hansen, congratulated re-elected Councilmember Cook, and thanked outgoing Councilmembers Boardman and Winchell.

**Brad White**, Senior Legislative Representative of the California National Guard Association, thanked outgoing Mayor Green for her support. He informed Council of the success of the Yellow Ribbon Campaign supporting the U. S. Military. Mr. White presented a Yellow Ribbon pin to outgoing Mayor Green.

#### **Consent Calendar – Items Removed for Separate Discussion**

The following items were removed from the Consent Calendar for separate discussion:

(City Council) Race Pace Promotion's Request for Termination of Agreement with the City to Provide the Pacific Shoreline Marathon in Huntington Beach

(City Council) Resolution No. 2004-92 Requesting CalTrans Approve the Closure on February 6, 2005 of Pacific Coast Highway for the Pacific Shoreline Marathon Run and Resolution No. 2004-93 Approving the Closure on February 6, 2005 of Various Local City Streets Pacific Shoreline Marathon Run

#### **Consent Calendar – Items Approved**

On motion by Green, second Coerper Council approved the following Consent Calendar items, as recommended. The motion carried by the following roll call vote:

AYES:	Hansen, Coerper, Sullivan, Green, Hardy, Bohr, Cook
NOES:	None
ABSENT:	None

**(City Council) Approved City Departments' Recommendations for the Projects to Receive the Highest Level of Focus for Funding Efforts by the City's State and Federal Lobbyists during the 2005 Legislative Session** (640.90) - The Intergovernmental Relations Committee has reviewed the department recommendations for the Funding Priorities List and is recommending the City Council take the following action. **Motion:** Approved the projects as shown in the 2005 State and Federal Legislation Funding Priorities List (Attachment No. 1) as those projects to be the focus of the City's funding efforts in the coming year. Submitted by the Intergovernmental Relations Committee Chair and Council Committee Members. Funding Source: Not Applicable.

**(City Council) Approved License Renewal Agreement with Southern California Edison (SCE) for Edison Community Park** (600.10) – Approved the *License Agreement* with SCE for the use of the property known as Edison Community Park, and authorized the Mayor and City Clerk to execute any and all documents necessary to conclude this transaction. Submitted by the Economic Development Director and Community Services Director. Funding Source: The annual payment of \$1,632 is budgeted in the Park Acquisition and Development Fund; total amount for five-year agreement is \$8160.

**(City Council) Approved License Renewal Agreement with Southern California Edison (SCE) for Gisler Park** (600.10) – Approved the *License Agreement* with SCE for the use of the property known as Gisler Park, and authorized the Mayor and City Clerk to execute any and all documents necessary to conclude this transaction. Submitted by the Economic Development Director and Community Services Director. Funding Source: The annual payment of \$2,100 is budgeted in the Park Acquisition and Development Fund Account No. 20945101.70300.

**(City Council/Redevelopment Agency) Adopted Council Resolution No. 2004-95 and Agency Resolution No.353 Approving Change In Start Time of City Council/Redevelopment Agency Meetings** (120.10) – **1.** Adopted **Resolution No. 2004-95** - “A Resolution of the City of Huntington Beach Fixing the Time of City Council Meetings,” and **2.** Adopted **Agency Resolution No. 353** - “A Resolution of the Redevelopment Agency of the City of Huntington Beach Fixing the Time of Redevelopment Agency Meetings.” Submitted by the City Attorney/Counsel and the City Clerk/Clerk. Funding Source: None.

**(City Council) Accepted Race Pace Promotion's Request for Termination of Agreement with the City to Provide the Pacific Shoreline Marathon in Huntington Beach** (600.10)

The City Council considered a communication from the Director of Community Services transmitting the following **Statement of Issue:** Race Pace Promotions, producers of the Pacific Shoreline Marathon, wishes to terminate its agreement with the city.

Councilmember Coerper asked that this agenda item be removed from the Consent Calendar to inquire about the funding. Community Services Director Jim Engle reported.

A motion was made by Sullivan, second Coerper to waive the eleven-month notice provision, and accept Race Pace Promotions' request for termination of its agreement with the city to conduct the Pacific Shoreline Marathon. The motion carried by the following roll call vote:

AYES:	Hansen, Coerper, Sullivan, Green, Hardy, Bohr, Cook
NOES:	None
ABSENT:	None



**(City Council) Adopted Resolution No. 2004-92 Requesting CalTrans Approve the Closure on February 6, 2005 of Pacific Coast Highway for the Pacific Shoreline Marathon Run and Resolution No. 2004-93 Approving the Closure on February 6, 2005 of Various Local City Streets Pacific Shoreline Marathon Run (800.60)**

The City Council considered a communication from the Director of Community Services transmitting the following **Statement of Issue**: Council Resolutions are required to close Pacific Coast Highway and inland streets to operate the Pacific Shoreline Marathon on Sunday, February 6, 2005.

Councilmember Coerper requested this agenda item be removed from the Consent Calendar to ask about the funding and the specifics of street closures on the day of the event. Director Engle reported and confirmed that streets reopened last year by 2:00 p.m.

A motion was made by Sullivan, second Coerper to:

**1. Adopt Resolution No. 2004-92 – “A Resolution of the City Council of the City of Huntington Beach Requesting CalTrans Approve the Closing of Pacific Coast Highway for the Huntington Beach Pacific Shoreline Marathon Run;”**

and

**2. Adopt Resolution No. 2004-93 - “A Resolution of the City Council of the City of Huntington Beach for the Temporary Closure of Portions of Goldenwest Street, Garfield Avenue, Edwards Street, Ellis Avenue, Talbert Avenue, Seapoint Street, Inlet Drive, Overlook Drive, Summit Drive, Varsity Drive, and Central Park Drive for the Pacific Shoreline Marathon Run.”** The motion carried by the following roll call vote:

AYES: Hansen, Coerper, Sullivan, Green, Hardy, Bohr, Cook

NOES: None

ABSENT: None

**(City Council) Adopted Ordinance No. 3691 Amending Chapter 248 of the Huntington Beach Zoning and Subdivision Ordinances Regarding Notices, Hearings, Findings, Decisions, and Appeals (450.20)**

After the City Clerk read by title, a motion was made by Coerper, second Sullivan to adopt **Ordinance No. 3691 – “An Ordinance of the City of Huntington Beach Amending Chapter 248 of the Huntington Beach Zoning and Subdivision Ordinance Entitled Notices, Hearings, Findings, Decisions and Appeals.”** (Approved for introduction at the November 15, 2004 Council Meeting.) The motion carried by the following roll call vote:

AYES: Hansen, Coerper, Sullivan, Hardy, Green, Bohr, Cook

NOES: None

ABSENT: None

**(City Council) Adopted Ordinance No. 3690 Amending Chapter 250 of the Huntington Beach Zoning and Subdivision Ordinances Regarding General Provisions Map Requirements (450.20)**

After the City Clerk read by title, a motion was made by Coerper, second Hardy to adopt Ordinance **No. 3690** – *“An Ordinance of the City of Huntington Beach Amending Chapter 250 of the Huntington Beach Zoning and Subdivision Ordinance Relating to General Provisions – Map Requirements.”* (Approved for introduction at the November 29, 2004 Council Meeting.) The motion carried by the following roll call vote:

AYES: Hansen, Coerper, Sullivan, Hardy, Green, Bohr, Cook  
NOES: None  
ABSENT: None

**(City Council) Councilmember Green Welcomed Elected Officials and Thanked Outgoing Councilmembers (120.85)**

Councilmember Cathy Green welcomed all newly elected officials and thanked the outgoing Councilmembers.

**Adjournment – City Council/Redevelopment Agency**

Mayor Hardy adjourned the regular meetings of the City Council/Redevelopment Agency of the City of Huntington Beach at 8:55 p.m. to Monday, December 20, 2004, at 4:00 p.m., in Room B-8 Civic Center, 2000 Main Street Huntington Beach, California.

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City Clerk and ex-officio Clerk of the City Council of the City of Huntington Beach and Clerk of the Redevelopment Agency of the City of Huntington Beach, California

ATTEST:

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City Clerk-Clerk

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Mayor-Chair